

BRECKLAND COUNCIL

At a Meeting of the

COUNCIL

**Held on Thursday, 5 September 2013 at 10.00 am in the
Anglia Room, The Conference Suite, Elizabeth House, Dereham**

PRESENT

Mrs S Armes	Mr T.J. Lamb
Mr S. Askew	Mr K. Martin
Mr S.G. Bambridge	Mrs S.M. Matthews
Mr W.P. Borrett	Mrs K. Millbank
Councillor C Bowes	Mrs L.H. Monument
Mrs B Canham	Mr T F C Monument
Mr T R Carter	Mr M J Nairn
Councillor M. Chapman-Allen	Mrs J A North
Mr R.P. Childerhouse	Mr J.W. Nunn
Mr C. S. Clark	Mrs K. Pettitt
Mr P.D. Claussen (Chairman)	Mr R. R. Richmond
Mr J.P. Cowen	Mr W. R. J. Richmond
Mr P R W Darby	Mr M. S. Robinson
Mr P.J. Duigan	Mr J.D. Rogers
Mr K.S. Gilbert	Mr F.J. Sharpe
Mr R.F. Goreham	Mr I. Sherwood
Councillor E. Gould	Mr B J Skull
Mrs D.K.R. Irving	Mr W.H.C. Smith
Mr T. J. Jermy	Mrs P.A. Spencer
Mr A.P. Joel	Mr A.C. Stasiak
Mrs E. M. Jolly	Mrs A.L. Steward
Mr C.R. Jordan	Mrs L.S. Turner
Mr M.A. Kiddle-Morris	Mr M. A. Wassell
Mr R.G. Kybird (Vice-Chairman)	Mr N.C. Wilkin

In Attendance

Julie Britton	- Senior Committee Officer
Trevor Holden	- Interim Chief Executive
Helen McAleer	- Senior Committee Officer

65/13 MINUTES (AGENDA ITEM 1)

The Minutes of the meeting held on 4 July 2013 were confirmed as a correct record and signed by the Chairman.

66/13 APOLOGIES (AGENDA ITEM 2)

Apologies for absence were received from Mr Byrne, Mr C Carter, Mr R Duffield, Mr S Green, Mr B Rose and Mr D Williams.

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67/13 CHAIRMAN'S ANNOUNCEMENTS (AGENDA ITEM 3)

The Chairman announced with great sadness the death of Hugh van Cutsem early on Monday morning. Mr van Cutsem, who had served on the Council from 1998 to 2003, had been a champion of the countryside and all things Breckland. Members observed a minute's silence in his memory and sent their sincere condolences to his family.

68/13 CABINET MINUTES (AGENDA ITEM 5)

- (a) Strategic Housing Market Assessment 2013 (Minute No 58/13)

RESOLVED that the Strategic Housing Market Assessment be adopted.

- (b) Procurement of Norfolk Dry Recyclables (Minute No 60/13)

RESOLVED that:

1. A ten year contract be awarded to NORSE Commercial Services Ltd (NORSE) for the recycling of dry recyclable material (being the enhanced contract with glass) pursuant to the procurement process carried out, on the basis that such contract be entered into between the District Councils of the Norfolk Waste Partnership and the JVC (as defined below);
 - a. the entry into a joint venture shareholders' agreement between the District Councils and Norse be approved on the basis of the Memorandum of Understanding attached at Appendix 1 for the purposes of establishing a joint venture company (the "JVC") to be the contractor under the recycling contract; and
 - b. the entry into such ancillary documents as shall be necessary pursuant to the establishment of the JVC and the recycling contract to the JVC be approved; and
 - c. delegated authority be given to the Leader of the Council, in consultation with the Executive Member for Localism, Community & Environmental Services and the Interim Environmental Services Officer to conclude those agreements and ancillary documents on behalf of the Council.
2. the community recycling bank scheme continues to operate in 2014/15 but beneficiaries be informed of the potential reductions and Members consider whether they would wish to offer any compensatory payments in lieu of the potential reduction in tonnages collected through the banks and hence payments in 2014/15.

(c) Adoption

RESOLVED that the unconfirmed Minutes of the Cabinet meeting held on 30 July 2013 be adopted.

69/13 OVERVIEW AND SCRUTINY COMMISSION (AGENDA ITEM 6)

RESOLVED that the unconfirmed Minutes of the Overview & Scrutiny Commission meeting held on 18 July 2013 be adopted.

70/13 PLANNING COMMITTEE (AGENDA ITEM 7)

70 .a Confirmed minutes of the meeting of the Planning Committee held on 1 July 2013

RESOLVED that the confirmed Minutes of the Planning Committee meeting held on 1 July 2013 be adopted.

70 .b Unconfirmed minutes of the meeting of the Planning Committee held on 29 July 2013

RESOLVED that the unconfirmed Minutes of the Planning Committee meeting held on 29 July 2013 be adopted.

71/13 GENERAL PURPOSES COMMITTEE (AGENDA ITEM 8)

(a) Living Wage (Minute No 41/13)

The Chairman of the General Purposes Committee requested that the recommendation on page 57 be referred back to the Committee as he had been advised that the information they had received had been incomplete.

The Interim Chief Executive apologised and said that it was an issue of process which needed to be reviewed before being taken back to General Purposes Committee.

The Leader of the Labour Group said he was disappointed by the delay but he had been heartened by the broad support the proposal had received. It was an opportunity for the Council to lead the way and he asked for the item to be included on the next Council agenda and for the pay award to be backdated to the current date (5 September 2013).

The Interim Chief Executive anticipated that the recommendation would come back to the next Council and asked whether the suggestion should be a recommendation from Council or a proposition for General Purposes Committee. The Leader of the Labour Group said that he was happy for it to be referred to General Purposes Committee.

(b) Adoption

RESOLVED that the unconfirmed Minutes of the General Purposes Committee meeting held on 17 July 2013 be adopted.

72/13 APPEALS COMMITTEE (AGENDA ITEM 9)

The Chairman of the Appeals Committee noted two small errors. On page 61 she suggested that the incomplete sentence should be removed and on page 62 it should say that 'After considering the matter the Applicant was invited to return'.

RESOLVED that, subject to those amendments, the unconfirmed Minutes of the Appeals Committee meeting held on 10 July 2013 be adopted.

73/13 LICENSING COMMITTEE (AGENDA ITEM 10)

RESOLVED that the unconfirmed Minutes of the Licensing Committee meeting held on 24 July 2013 be adopted.

74/13 LOCAL GOVERNMENT BOUNDARY COMMISSION ELECTORAL REVIEW - COUNCIL WARDING PATTERN SUBMISSION (AGENDA ITEM 11)

The Executive Member for Finance & Democratic Services presented the report which was the second phase in the boundary review process. He advised Members that the report represented the Council's proposals and the Commission would accept proposals from individuals, groups, Parish Councils, etc and would give equal weight to all.

Once the Boundary Commission had looked at the submissions they would present their draft proposals in January 2014 for consultation. Following that they would consider any suggestions for alterations and present their final proposals for warding patterns in July 2014.

Councillor Goreham had attended the Working Group meeting when Dereham was discussed. They had considered some well worked proposals put forward by the Officers which used the Mid-Norfolk Railway Line and the A47 as boundaries. He was surprised that those proposals had been discarded when they had been agreed by everyone present at that meeting.

Councillor Mrs L Monument noted that an alternative proposal had been put forward at that meeting and had been accepted by Officers as a better proposal.

Councillor Lamb was equally surprised that the original proposals for Thetford had been changed. He felt that as most of the Croxton

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population was close to Thetford it would be better for them to be represented by a Thetford Councillor.

It was clarified that a series of meetings had taken place and representations from various Ward Representatives had been taken into account. Everyone had had the opportunity to attend the meetings and the Working Group had listened to all representations received. The Officers' proposals had been the template to provide a starting point, but the decision had been made by the Members.

It was stressed that if individuals wished they could submit their own proposals to the Boundary Commission. Members were encouraged to visit the Commission's website to look at the different proposals that had been submitted and which would be taken into consideration by the Boundary Commission.

Councillor Childerhouse advised that there would be a public meeting held in Croxton on Wednesday 11 September to discuss the submission of a proposal which would exclude Croxton from Thetford.

The Leader of the Labour Group said that he had had the pleasure of sitting on the Working Group and had been privy to the process and challenges faced due to the constraints set by the Boundary Commission. He had great respect for the officers involved in the process. Anyone could submit a proposal and the Labour Group intended to do that and so they would not be voting on the recommendation.

Councillor Armes was also concerned about the 5000 houses being built which would be looking to Thetford for services and should be included in their boundary.

The Executive Member for Finance & Democratic Services advised that the review would have no effect on parish boundaries.

RESOLVED that the submission on the proposed warding arrangements attached to the report be approved for submission to the Local Government Boundary Commission for England.

There were five votes against the proposal and three abstentions. It was noted that two Members were out of the room when the vote was taken.

75/13 CHIEF OFFICER APPOINTMENTS (AGENDA ITEM 12)

The Interim Chief Executive presented the report and the Chairman requested that all other Chief Officers leave the room.

The background to the report was explained. Following the resignation of Terry Huggins, the Interim Chief Executive had been appointed for an initial three month period, or as appropriate, while the possibility of

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extending shared services with another authority was explored. Luton Borough Council had now served notice for the contractual arrangements to expire on 9 October 2013.

The fact that the Deputy Chief Executive (DCE) would be leaving at about the same time was coincidental. The post of Chief Executive at the Police and Crime Commission (PCC) had become vacant and Mark Stokes had been offered that job and he was expected to resign shortly.

The recruitment of a new Chief Executive would take up to six months and so it was proposed to recruit another interim with effect from 9 October 2013. Rather than recruit an interim DCE it was proposed to disaggregate his responsibilities to the strong Senior Management team as it would give them the opportunity to manage a broader area.

Mark Stokes was currently the Returning Officer (RO). Maxine O'Mahony was currently RO at South Holland and it was proposed to appoint her in Mark's place. Another officer would be appointed RO for South Holland.

Two amendments to the recommendations were proposed: at (g) to add the words 'any additional' costs, as the budget was already in place; and at (h) to appoint Maxine O'Mahony from 21 October 2013, rather than with immediate effect, as that was when Mark Stokes would take up his PCC role.

The Leader of the Labour Group asked whether the RO appointment should be interim or permanent. The Interim Chief Executive advised that as an RO was required and as the appointment was in the gift of the Council it could be changed in due course if required.

Councillor Cowen thanked the Interim Chief Executive for putting a complex recommendation into easy to understand format and expressed gratitude for his involvement in the Council's affairs.

The Leader of the Labour Group was concerned that Members were being rushed into making decisions and had not been kept informed about progress with shared services. They had suffered the loss of a Chief Executive and Interim Chief Executive and Deputy Chief Executive along with other senior members of staff. That loss was sorely felt and he proposed that an additional bullet point should be added to the recommendation to undertake a review of staff turnover over the past three years to see what lessons could be learned.

The Leader of the Council said that he was proud of the Council's reorganisation. Some staff had been lost to better jobs but it was better for staff to come to the Council, grow and move on to better things than to come to the Council to retire. When staff did move on it gave the Council a great network of contacts and a good working relationship with other organisations.

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Shared Services had put a strain on staff and Members but it would have been worse to do nothing and to have had to shrink the Council and lose staff in that way.

The Leader of the Labour Group's proposal was seconded by Councillor Canham. She said that any organisation should review what they were doing.

Councillor Kybird noted that it was a delegated function of the Audit Committee to carry out an annual audit review.

The additional recommendation was not supported by Members.

Subject to the agreed amendments it was:

RESOLVED to:

- a) Note that Luton Borough Council has served notice on the current contract in place regarding the interim arrangements for Mr Trevor Holden to act as Interim Chief Executive of both Breckland Council and South Holland District Council and that the notice period will expire on 9 October 2013.
- b) Agree the immediate recruitment of a permanent Chief Executive (to also act as Head of Paid Service), in a joint appointment with South Holland District Council.
- c) Agree the recruitment of an Interim Chief Executive in a joint appointment with South Holland District Council until such time as a permanent appointment is approved by Council.
- d) Agree that the costs of recruitment for the Chief Executive be met from the Organisations Development reserve and shared on a 50/50 basis with South Holland District Council.
- e) Agree that the post of Deputy Chief Executive / Director of Place and Governance is not recruited to at this time.
- f) Agree that the Chief Executive in consultation with the Leaders is authorised to agree any temporary changes to arrangements within existing senior management team.
- g) Any additional costs associated with the appointment of an Interim Chief Executive being met from the Organisations Development reserve and shared on a 50/50 basis with South Holland District Council.
- h) Appoint Maxine O'Mahony as the Returning Officer and Electoral Registration Officer for Breckland with effect from 21 October 2013.

76/13 LEADER OF THE COUNCIL (AGENDA ITEM 14)

Councillor Nunn announced that he was resigning as Leader of the Council. It had been a great privilege, but the day had come as he was feeling tired and not giving 100%. He thanked his colleagues for their support and in particular he thanked his Cabinet for 'making me look

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good'. Finally he thanked the Council staff who had always done their best for him.

The Deputy Leader thanked Mr Nunn for his support and mentoring.

Councillor Borrett said Councillor Nunn had an amazing record as Leader and he was proud to have been associated with him. Councillor Nunn's desire and determination to lead the Council into shared services was groundbreaking and no mean achievement, keeping costs down and protecting services.

The Leader of the Labour Group wished Mr Nunn well on behalf of the Labour Group and said that he had always spent time talking to the public and to Members and always given answers to questions, to his credit.

Councillors Jordan, Wilkin, Sherwood and Cowen joined in reminiscing about working with Councillor Nunn.

Councillor Smith recalled his time as Deputy Leader and said that although Councillor Nunn would challenge him on some points they always had an amicable working arrangement.

The Chairman concluded the Members' comments by saying it had been a pleasure and a privilege to work with Councillor Nunn who he said always made it look like he was enjoying himself and that was genius.

The Chief Executive then recalled his memories of working with Councillor Nunn and said that officers had benefitted from his stewardship and leadership. On a personal level he had given him wise counsel and been a leader par excellence!

The officer corps presented Councillor Nunn with a picture and engraved letter opener.

Councillor Nunn thanked everyone very much.

The meeting closed at 11.15 am

CHAIRMAN